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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Siegall *et al.*

Serial No.: 09/328,296

Examiner: K. Canella

Filed: June 8, 1999

Group Art Unit: 1642

For: RECOMBINANT ANTI-CD40 ANTIBODY AND
USES THEREOF Attorney Docket No.: 9632-005

SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 and § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references BK-BO listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant". Copies of references BK-BO are submitted herewith. These references were cited in an International Search Report dated September 7, 2000 in connection with an international counterpart of the present application, a copy of which is attached hereto as Exhibit 1.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art". As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited".

Because this Information Disclosure Statement is being submitted after the mailing date of a first Office Action on the merits, a fee of \$180 is believed due. Please

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charge the required amount to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Respectfully submitted,

Date: April 18, 2001



Adriane M. Antler 32,605
(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090